

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

Lordstown Motors Corp., *et al.*,

Debtors.

Chapter 11

Case No. 23-10831 (MFW)

(Jointly Administered)

Related to D.I. 199 & 265

**FIRST SUPPLEMENTAL DECLARATION OF MICHAEL A. VANNIEL
IN SUPPORT OF DEBTORS' APPLICATION FOR AN ORDER AUTHORIZING
THE RETENTION AND EMPLOYMENT OF BAKER & HOSTETLER LLP AS
SPECIAL LITIGATION AND CORPORATE COUNSEL FOR THE
DEBTORS, EFFECTIVE *NUNC PRO TUNC* TO THE PETITION DATE**

I, Michael A. VanNiel, hereby declare, pursuant to 28 U.S.C. § 1746, that the following statements are true and correct, to the best of my knowledge and belief, after due inquiry described herein.

1. I am a partner of the law firm of Baker & Hostetler LLP ("**Baker**"), located at Key Tower, 127 Public Square, Suite 2000, Cleveland, Ohio 44114-1214. I am a member in good standing of the Bar of the State of Ohio. I have been admitted to practice in Ohio. I have been admitted to practice, and am a member in good standing, in the United States District Courts for the Northern and Southern Districts of Ohio, the United States Court of Appeals for the Sixth Circuit, and the United States Court of Appeals for the Tenth Circuit. I have never been the subject of any disciplinary proceedings in any jurisdiction. There are no disciplinary proceedings pending against me.

2. I submit this declaration (the "**First Supplemental Declaration**") to supplement my declaration, dated July 27, 2023 (the "**Original Declaration**"), attached as Exhibit A to the *Debtors' Application for Entry of an Order Authorizing the Retention and Employment of Baker*

& Hostetler LLP as Special Litigation and Corporate Counsel to the Debtors Effective Nunc Pro Tunc to the Petition Date (D.I. 199) (the “**Application**”).¹ This First Supplemental Declaration is intended to supplement my Original Declaration and in no way replaces anything set forth in the Application. I am duly authorized to make this First Supplemental Declaration on behalf of Baker and to submit this First Supplemental Declaration in support of the Application. Except as otherwise noted, I have personal knowledge of the matters set forth herein. To the extent any information disclosed herein requires amendment or modification upon Baker’s completion of further analysis or as additional information becomes available, another supplemental declaration will be submitted to the Court reflecting such amended or modified information.

3. As set forth in my Original Declaration, Melissa Leonard (“**Ms. Leonard**”), the then-Executive Vice President, General Counsel & Secretary to the Debtors was previously a partner and practice team leader in the mergers and acquisitions group at Baker.

4. Ms. Leonard has departed her positions with the Debtors and has, effective as of December 29, 2023, rejoined Baker as a partner in its Business Group. Insofar as I have been able to ascertain, the partners (including Ms. Leonard), counsel, and associates of Baker and I neither hold nor represent any interest adverse to the Debtors or their estates with respect to the matters on which Baker is employed.

5. Should any additional information relevant to Baker’s retention and employment in the above-captioned cases come to Baker’s attention, Baker will file additional supplemental declarations.

[signature page follows]

¹ Capitalized terms used herein but not otherwise defined shall have the meaning ascribed to them in the Application.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: January 10, 2024

By: /s/ Michael A. VanNiel
Michael A. VanNiel
Partner
Baker & Hostetler LLP

